

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DR. MORGAN REYNOLDS on behalf of the :
UNITED STATES OF AMERICA, :

Plaintiff/Realtor, :

vs. : Case No. 07-CV-4612
: (GBD) (DF)

SCIENCE APPLICATIONS INTERNATIONAL :
CORP., APPLIED RESEARCH ASSOCIATES, INC.; :
BOEING; NuSTATS; COMPUTER :
AIDED ENGINEERING ASSOCIATES, INC.,;
DATASOURCE, INC.; GEOSTAATS, INC.; :
GILSANZ MURRAY STEFICEK LLP; :
HUGHES ASSOCIATES, INC.; AJMAL :
ABBASI; EDUARDO KAUSEL; :
DAVID PARKS; DAVID SHARP; DANIELE :
VENEZANO; JOSEF VAN DYCK; KASPAR :
WILLIAM; ROLF JENSEN & ASSOCIATES, :
INC; ROSENWASSER/GROSSMAN CONSULTING :
ENGINEERS, P.C.; SIMPSON GUMPERTZ & :
HEGER, INC.; S.K. GHOSH ASSOCIATES, :
INC.; SKIDMORE, OWINGS & MERRILL, :
LLP; TENG & ASSOCIATES, INC.; :
UNDERWRITERS LABORATORIES, INC.; :
WISS, JANNEY, ELSTNER ASSOCIATES, :
INC.; AMERICAN AIRLINES; SILVERSTEIN :
PROPERTIES; and UNITED AIRLINES, :

Defendants. :

Edward B. Keidan, an attorney admitted pro hac vice in the above-referenced case on behalf of Teng & Associates, Inc. ("Teng"), declare pursuant to 28 U.S.C. §1746 and under penalty of perjury under the laws of the United States of America, that the following statements are true and correct:

1. I am a member of Conway & Mrowiec, attorneys for Teng in this lawsuit brought pursuant to the False Claims Act. I have reviewed the pleadings and our files in this matter and, based on our analysis of the same, I am familiar with the facts set forth herein.

2. I submit this declaration in support of defendant Teng's motion to dismiss the Complaint, pursuant to Rules 12(b)(1), 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, by adopting and incorporating co-defendants Wiss, Janney, Elstner Associates, Inc. and Rolf Jensen & Associates, Inc.'s motion to dismiss on the same grounds.

3. Plaintiff filed the Complaint on May 31, 2007, bringing claims pursuant to the False Claims Act. The Complaint alleges, in a wholly conclusory manner, that defendants manipulated and provided false information to the United States Government during the investigation of the September 11, 2001 events conducted by National Institute of Standards and Technology.

4. Defendant Teng & Associates, Inc. is a corporation organized and existing under the laws of the state of Illinois. It is engaged in the business of professional engineering and architecture, and maintains a principal office at 205 North Michigan Avenue, Suite 3600, Chicago, Illinois 60601.

5. Upon information and belief, Teng provided consulting services to NIST in regard to inquiries that NIST was conducting.

6. Plaintiff's Complaint fails to allege specific actions and/or omissions attributable to Teng. Teng adopts the arguments set forth in defendants Wiss, Janney, Elstner Associates, Inc. and Rolf Jensen & Associates, Inc.'s motion and supporting memorandum, as they are

equally applicable to Teng. Teng also seeks the same relief requested upon the same grounds made.

7. For these reasons and the reasons set forth in defendants Wiss, Janney, Elstner Associates, Inc. and Rolf Jensen & Associates, Inc.'s motion, which is adopted and incorporated herein, defendant Teng moves to dismiss the Complaint against it, and further seeks an award of attorneys' fees and expenses due to the frivolous nature of Plaintiff's Complaint, and for such other relief as is just and proper.

WHEREFORE, it is respectfully requested that the Court grant defendant Teng & Associates, Inc.'s motion to dismiss the Complaint, for attorneys' fees and costs, and for such other relief as is just and proper.

Dated: November 7, 2007.



Edward B. Keidan